

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: TANIOKA=1

In re Application of:)	Confirmation No.: 7726
)	
Takashi TANIOKA et al)	Art Unit: 1792
)	
Appln. No.: 10/585,878)	Examiner: Kelly M. Gambetta
I.A. No.: PCT/JP05/006149)	
)	Washington, D.C.
I.A. filed: March 30, 2005)	
\$371 date: July 11, 2006)	October 21, 2009

For: PROCESSES AND EQUIPMENTS FOR PREPARING F2-CONTAINING GASES,
AS WELL AS PROCESSES AND EQUIPMENTS FOR MODIFYING THE
SURFACES OF ARTICLES

REPLY TO RESTRICTION REQUIREMENT

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop Amendment
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicants are in receipt of the Office Action of September 22, 2009, entirely in the nature of a restriction requirement based on purported lack of unity of invention under PCT Rules 13.1 and 13.2. Applicants reply below.

First, however, Applicants respectfully request the PTO to acknowledge receipt of Applicants' papers filed under §119.

Restriction has been required between what the PTO deems as being two separate inventions. As Applicants must make an election even though the requirement is traversed, Applicants hereby respectfully and provisionally elect Group I, directed to the method, and presently comprising claims 1-24 and 29, with traverse and without prejudice.

In re Appln of Takashi TANIOKA et al
Appln. No.: 10/585,878
Reply to Restriction Requirement dated
October 2009

Applicants first respectfully note that claim 28 is also directed to the method and constitutes a linking claim. Accordingly, claim 28 should be included within the method claims elected, and should moreover link the method and apparatus whereby the requirement should be withdrawn.

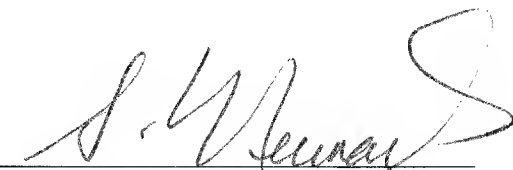
Further, Applicants respectfully do not agree that the shared technical feature of the claimed groups is as broad as indicated in the Office Action, i.e. Applicants respectfully maintain that JP 2000/319433 does not disclose or make obvious the technical features shared by Groups I and II. The shared special technical features are not simply the preparation of a fluorine containing gas, but how this is done as recited in both the method and apparatus claims.

Accordingly, Applicant respectfully request withdrawal of the requirement and examination of all the claims on the merits.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

By



Sheridan Neimark
Registration No. 20,520

SN:ltm
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
G:\BN\Y\YUAS\Tanioka1\Pto\2009-10-22REPLY.doc